

KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP

WASHINGTON HARBOUR, SUITE 400

3050 K STREET, NW

WASHINGTON, D.C. 20007-5108

(202) 342-8400

NEW YORK, NY
LOS ANGELES, CA
CHICAGO, IL
STAMFORD, CT
PARSIPPANY, NJ

BRUSSELS, BELGIUM

AFFILIATE OFFICES
MUMBAI, INDIA

FACSIMILE
(202) 342-8451
www.kelleydrye.com

DIRECT LINE: (202) 342-8544

EMAIL: jheitmann@kelleydrye.com

September 26, 2012

BY HAND DELIVERY AND ECFS

Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Unity Telecom, LLC Compliance Plan Meeting Notice of Ex Parte
Presentation and Request for Confidential Treatment; WC Docket Nos.
09-197, 11-42

Dear Ms. Dortch,

On Monday, September 24, 2012, Chuck Schneider and Greg Blair of Unity Telecom, LLC ("Unity"), and John Heitmann and Joshua Guyan of Kelley Drye & Warren, LLP met with Divya Shenoy, Michelle Schaefer, Alexander Minard and David Bradford of the Wireline Competition Bureau ("Bureau") to discuss Unity's Compliance Plan filed on June 29, 2012 in the above-referenced dockets.

At the meeting, Unity provided the Bureau staff with the enclosed presentation introducing the company and its management, the company's Lifeline product offerings and its approach to compliance with the requirements of the *Lifeline Reform Order*.¹ Unity, by its attorneys, hereby submits an original and four (4) copies of the enclosed confidential presentation. In addition, Unity submits a request for confidential treatment of the identified portions of the presentation. Please date-stamp and return the additional copy of the request for confidential treatment and confidential presentation.

¹ See *Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23, Report And Order and Further Notice Of Proposed Rulemaking, FCC 12-11 (Feb. 6, 2012).

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We have also included four (4) additional copies to be distributed to Divya Shenoy, Michelle Schaefer, Alexander Minard and David Bradford. A redacted version of the presentation is being filed electronically in ECFS today.

Please direct any questions as to this matter, including the request for confidential treatment, to the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John J. Heitmann". The signature is fluid and cursive, with the first name "John" and last name "Heitmann" clearly distinguishable.

John J. Heitmann
Joshua T. Guyan

Counsel to Unity Telecom, LLC

cc: Divya Shenoy
Michelle Schaefer
Alexander Minard
David Bradford

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Washington, D.C. 20554

Re: Unity Telecom, LLC Compliance Plan Meeting Presentation; Request for Confidential Treatment; WC Docket Nos. 09-197, 11-42

Dear Ms. Dortch:

Unity Telecom, LLC ("Unity"), by its attorneys, hereby requests confidential treatment of the enclosed presentation provided to Divya Shenoy, Alexander Minard, Michelle Schaefer and David Bradford at a meeting on Monday, September 24, 2012 regarding Unity's Compliance Plan filed in the above-referenced dockets.¹

The enclosed presentation contains proprietary and confidential information. Such competitively sensitive information is exempted from mandatory disclosure under "Exemption 4" of the Freedom of Information Act ("FOIA"),² and Section 0.457(d) of the Commission's rules.³ Exemption 4 allows the withholding of commercial or financial information that is privileged or confidential.⁴ The confidentiality requirement is satisfied if

¹ See 47 C.F.R. § 0.459(b)(1), (2).

² See 5 U.S.C. § 552(b)(4). Public disclosure is not required for "trade secrets, commercial or financial information obtained from a person and privileged and confidential." *Id.*

³ 7 C.F.R. § 0.457(d). See *National Parks and Conservation Ass'n. v. Morton*, 498 F.2d 765, 770 (D.C. Cir. 1974) ("National Parks"); Southern Company Request for Waiver of Section 90.629 of the Commission's Rules, 14 FCC Rcd 1851, 1860 (1998) ("Southern Company").

⁴ 5 U.S.C. § 552(b)(4).

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substantial competitive injury would likely result from disclosure.⁵ Accordingly, pursuant to Section 0.459 of the Commission's rules,⁶ Unity requests that portions of the enclosed presentation be withheld from public inspection.

The information for which Unity requests confidential treatment is proprietary and competitively sensitive commercial information.⁷ The market for Lifeline services, including the services provided and to be provided by Unity, is highly competitive.⁸ The confidential presentation reveals details about Unity's business relationships, business practices, and strategies and compliance training, the disclosure of which would cause great harm to Unity.⁹ Unity will derive independent economic value from the fact that significant, detailed proprietary information regarding Unity's business practices is unknown to its competitors.¹⁰ Moreover, failure to treat Unity's business and investment information as confidential would provide competitors with an unfair competitive advantage by being granted access to Unity's proprietary information.¹¹ The information contained in the identified portions of the enclosed presentation is provided only to those employees and contractors that require such information to perform the requirements of their duties to Unity¹² and is not ordinarily made available to the public by Unity.¹³ The information that is the subject of this confidential treatment request is not part of the public record in any jurisdiction. Unity requests that the identified portions of the enclosed presentation not be made routinely available for public inspection at any time.¹⁴

⁵ See *Public Citizen Research Group v. FDA*, 704 F. 2d 1280, 1290-91 (D.C. Cir. 1983) ("*Public Citizen*").

⁶ See 47 C.F.R. § 0.457 and 47 C.F.R. § 0.459.

⁷ See 47 C.F.R. § 0.459(b)(3).

⁸ See 47 C.F.R. § 0.459(b)(4).

⁹ See 47 C.F.R. § 0.459(b)(5).

¹⁰ *Id.*

¹¹ *Id.*

¹² See 47 C.F.R. § 0.459(b)(6).

¹³ See 47 C.F.R. § 0.459(b)(7).

¹⁴ See 47 C.F.R. § 0.459(b)(8).

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Page Three

Please direct any questions as to this matter, including the request for confidential treatment, to the undersigned.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "John J. Heitmann". The signature is fluid and cursive, with a large initial "J" and "H".

John J. Heitmann
Joshua T. Guyan

Counsel to Unity Telecom, LLC

cc: Divya Shenoy
Michelle Schaefer
Alexander Minard
David Bradford

Unity Telecom, LLC – FCC Compliance Plan

Presentation to FCC – TAPD, 9/24/12

Redacted Version

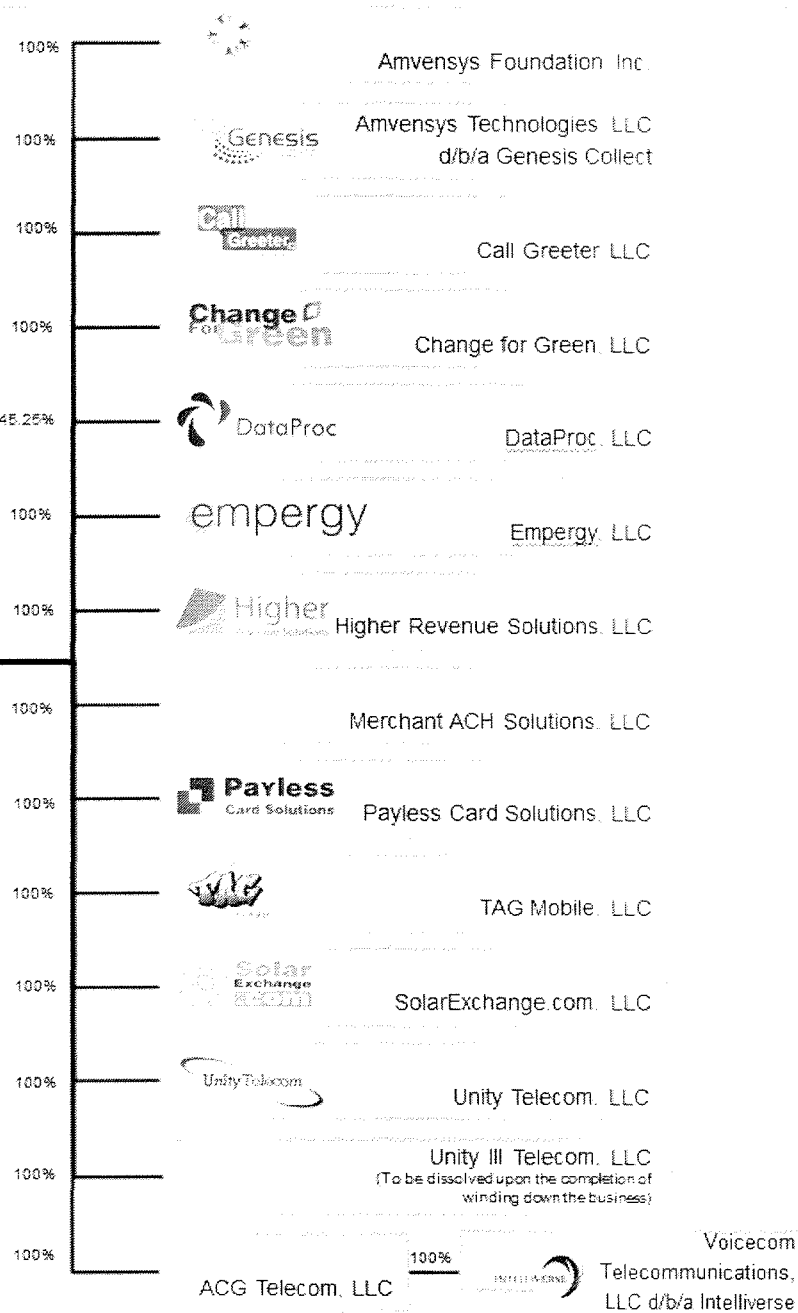




Who is Unity Telecom, LLC?

- dPi Teleconnect, LLC was founded in 1999 as a subsidiary of RentWay
- Prepaid home phone service provider; began offering Lifeline services in 2008
- Held CLEC licenses in 41 states; focus on 11 ETC states in the south
- Acquired by Rent-A-Center in 2006 through the acquisition of parent company, RentWay
- Sold to private owner in 2009; wholly owned by parent company Amvensys Capital Group
- Changed company name from dPi Teleconnect to Unity Telecom mid-2012
- ETC designations in Alabama, Arkansas, Florida, Kansas, Kentucky, Louisiana, Missouri, New York, North Carolina, Oklahoma, South Carolina and Texas

Amvensys CAPITAL GROUP

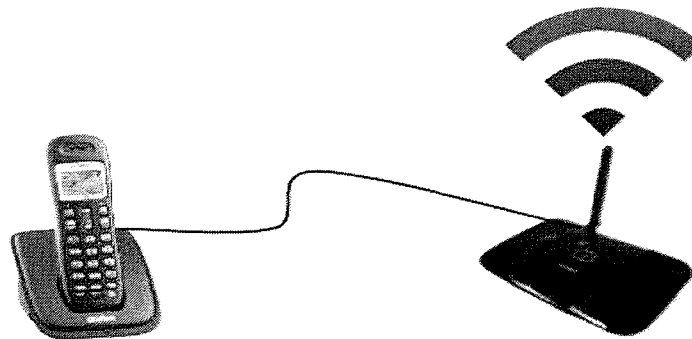


Service Offerings

- Traditional Wireline Services via ILEC ICAs
 - Basic: unlimited local with 100 minutes of domestic long distance
 - Advantage: adds call return, call waiting and caller ID
 - Premier: adds call forwarding, busy redial and 3-way calling
- VoIP via **REDACTED XXXXXXXXXXXXXXXX**
REDACTED
 - First 3 months free, then \$7.20 per month
 - Unlimited local and domestic long distance, caller ID, call forwarding (including busy and delayed), call return, call waiting, redial, voicemail and do-not-disturb

Service Offerings

- Fixed Wireless Terminal (FWT) via TAG Mobile / Coast 2 Coast / Verizon Wireless
 - 500 minutes for \$12.20
 - Unlimited minutes for \$22.20 (2 year term)
 - Unlimited minutes for \$27.20 (1 year term)
 - Caller ID, call forwarding, 3-way, voicemail, domestic long distance

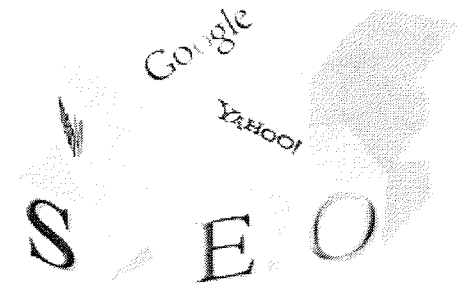


Public Safety and 911/E911 Access

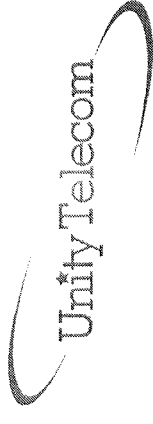
- Traditional Wireline Services
 - Resale of CenturyLink, Windstream, Frontier, Verizon and Qwest; will route 911 calls the same as their own
- VoIP
 - E911 solution through **REDACTED XXXXXXXXXXXX REDACTED**
 - Complies with 47 C.F.R. 9.5
- Fixed Wireless
 - Verizon Wireless routes 911 calls same as their own; uses Huawei Device USA terminals that have been through a stringent certification process with Verizon Wireless

Sales Distribution Channels

- Website / Search Engine Optimization
- Rent-A-Centers
- Other Rent-to-own stores
- Channel Partners / Master Agents
- Independent Sales Organizations (ISOs)



Agent/Dealer Qualifications

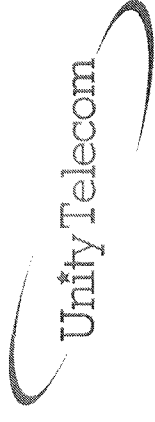


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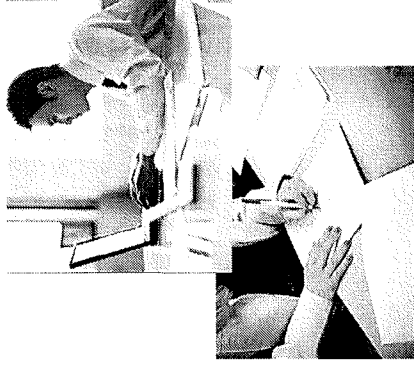
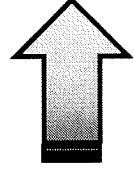
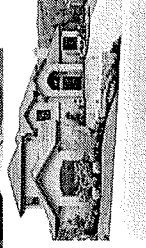
Marketing and Advertising Compliance

- All Unity Telecom marketing materials will
 - Disclose the name of the ETC
 - Explain in clear, easily understood language:
 - The service is a Lifeline service
 - Lifeline is a government assistance program
 - Only eligible consumers may enroll in the program
 - The program is limited to one benefit per household, consisting of either wireline or wireless service
 - Lifeline service is non-transferable

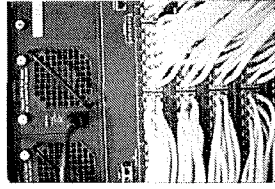
Lifeline Certification Process



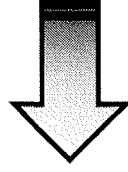
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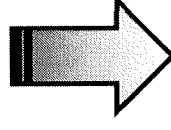
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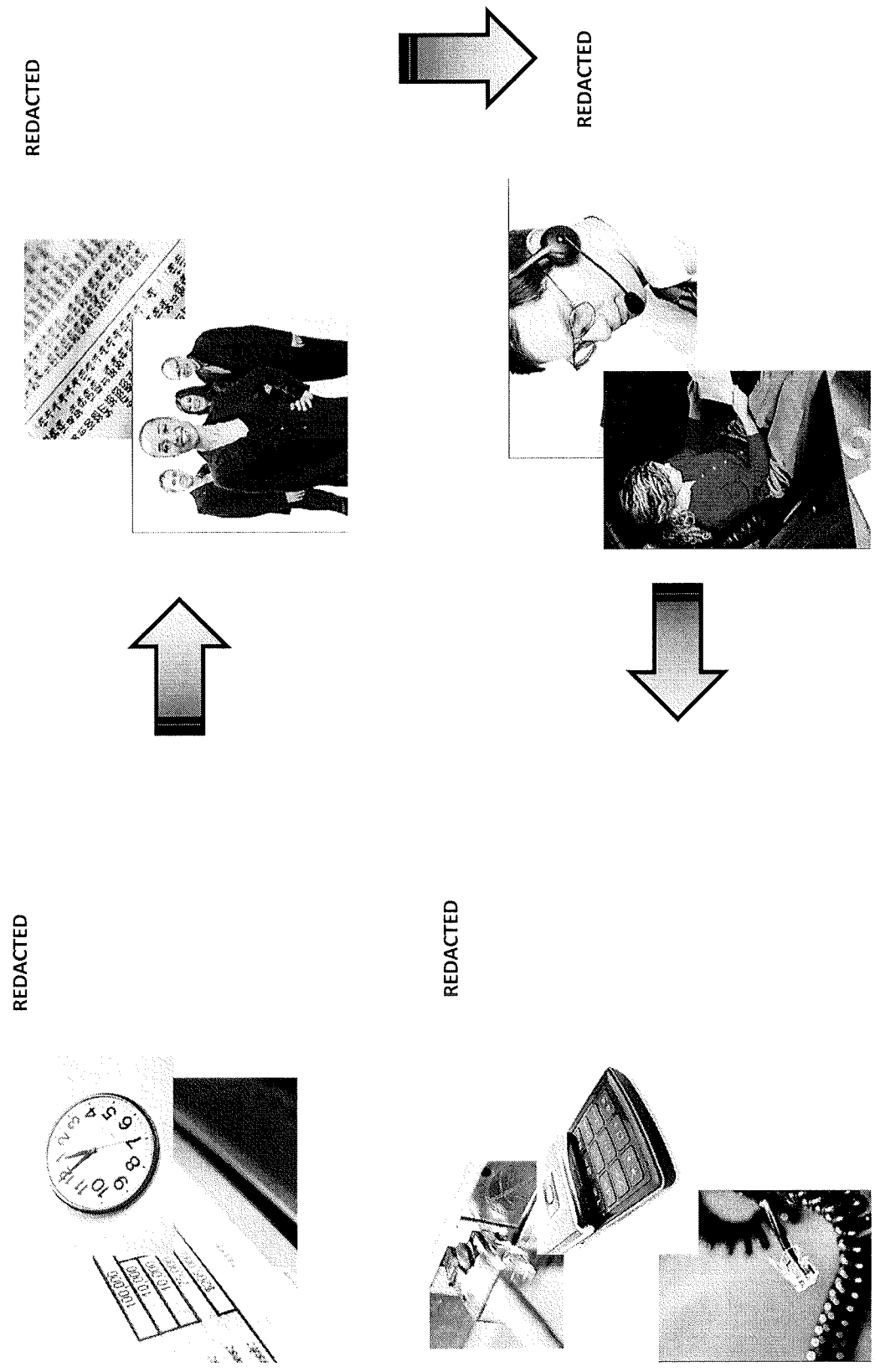
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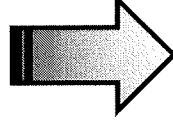
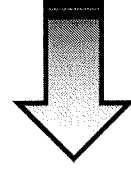
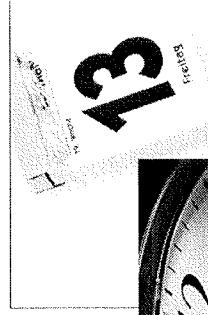
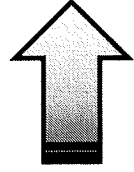
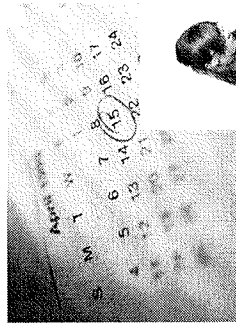
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Non-Usage Validation Process

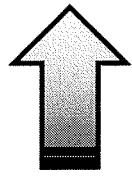
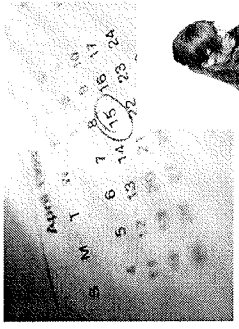


Initial Recertification Process



Annual Recertification Process

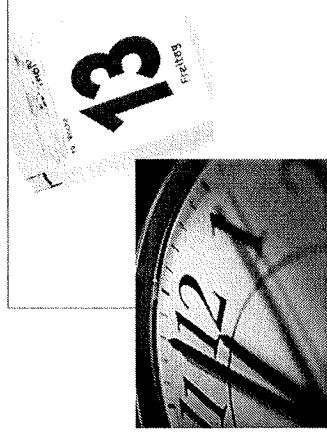
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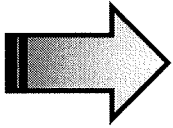
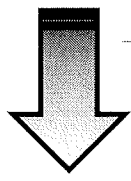
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Quality Assurance Monitoring Process

